

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

v.

CRIMINAL COMPLAINT

CASE NUMBER:

09-M-0288

OLADELE FAGBULU,

I, Kenneth Darling, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On October 7, 2009, in the Town/City of Pleasant Prairie, and in the State and Eastern District of Wisconsin, the above-named individual did knowingly and intentionally possess with the intent to distribute one kilogram of a mixture and substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, § 841(a)(1) and 841(b)(1)(B) and Title 18, United States Code, § 2.

I further state that I am a Special Agent for the United States Department of Justice, Drug Enforcement Administration, and that this complaint is based on the facts contained in the attached affidavit.

Continued on the attached sheet and made a part hereof: ☒ Yes


Signature of Complainant

Sworn to before me and subscribed in my presence,

October 8, 2009
Date

at Milwaukee, Wisconsin
City and State

PATRICIA J. GORENCE, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

I, KENNETH DARLING, being first duly sworn on oath, state the following:

1. I am a special agent for the United States Department of Justice Drug Enforcement Administration, working in the Milwaukee, Wisconsin District Office. I have been employed as a DEA agent for over nine years. In the course of my work, I investigate violations of federal drug trafficking laws. I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. Section 2510(7), in that I am empowered by law to conduct investigations of and to make arrests for federal felony offenses.

2. The information contained in this affidavit is based upon my personal observations and investigation, information relayed to me by other law enforcement agents and officers, and through official law enforcement reports. To the extent that the information is not based upon my personal knowledge, I believe it to be truthful and reliable.

3. On 10-08-2009, a confidential informant, (hereinafter "CI") placed a recorded telephone call to an individual known as "D", later identified as Oladele FAGBULU. The CI, using code, ordered fifty grams of heroin and one kilogram of cocaine. The CI told agents that FAGBULU was the CI's source of supply from Chicago and had provided quantities of cocaine and heroin to the CI in the past. The CI indicated that FAGBULU would be driving a truck or SUV with Illinois plates. In the past, the CI indicated FAGBULU made deliveries and would park his vehicle, and then either go under the hood of the vehicle or in the trunk area of the vehicle prior to coming into the

CI's apartment complex (8520 82nd Street, Pleasant Prairie, WI). The CI also provided a physical description of "D" and law enforcement agents also had a photograph of "D".

4. At approximately 9:55 PM, FAGBULU called the CI and stated he was approximately ten minutes away. This call was recorded.

5. At approximately 10:05 PM, FAGBULU arrived in a Mitsubishi Endeavor bearing Illinois plates and park directly outside the main entrance to the CI's apartment complex. Agents watched FAGBULU exit the vehicle and open the rear compartment. FAGBULU shut the rear compartment of the vehicle and went into the entryway of the apartment complex. There are a number of doorbells for the units to the complex in this entryway. FAGBULU rang the buzzer to the CI's apartment, at which time FAGBULU was taken into custody. Approximately one kilogram of cocaine, which was under the arm of FAGBULU, fell to the ground during his arrest. Seized from FAGBULU's inside jacket pocket was approximately fifty grams of heroin.